

### REMARKS

Applicants have carefully considered the matters raised by the Examiner in the outstanding Office Action but remain of the position that patentable subject matter is present. Applicants respectfully request reconsideration of the Examiner's position based on the Declaration of Mr. Hedges, the amendments to the specification and the following remarks.

The present invention is directed to the stabilization of food flavors from repeated freezing and thawing over long term cold storage and in microwave cooking..

Applicants have amended page 2 of the specification to correct a minor typographical error. The word "been" had been misspelled and is corrected herein.

Claims 6-9 had been rejected as being unpatentable over Anonymous, Furata and Reineccius. Anonymous, Furata and Reineccius teach the conventional encapsulation of flavors with cyclodextrin.

The Examiner had stated in the second to last paragraph on page 2 of the Office Action that Anonymous, Furata and Reineccius do not teach the addition of an encapsulated flavor to a microwaved or frozen food product. The Examiner went on to state that the addition of cyclodextrin encapsulated flavor to prepared food products is well within the skill of the art. Such may be the case, but none of the references teach a method for stabilizing a flavor from repeated freeze-thaw cycles and long term frozen storage and in microwave cooking.

It is well known within the art that cyclodextrin can be used to encapsulate flavors, as evidenced by the teachings of Anonymous, Furata and Reineccius. It is also well known within the art that food products can contain encapsulated flavors. However, it is not known that cyclodextrin can be used to encapsulate flavors in microwaved or frozen food products and it is surprising that cyclodextrin encapsulated flavors produce superior properties when compared to conventional encapsulating agents, such as gum arabic.

Applicants respectfully submit that it is not obvious to encapsulate a microwaved or frozen food flavor in

cyclodextrin in light of the conventional encapsulating agents used in the art. Furthermore, Applicants submit that a food flavor encapsulated in cyclodextrin rates higher in flavor intensity and is preferred over food flavors encapsulated in conventional encapsulating agents. As a result, it is not within the skill of the art to encapsulate a microwaved or frozen food flavor in cyclodextrin.

In order to strengthen this position, Applicants have herein enclosed a declaration of Mr. Hedges. Mr. Hedges has performed tests which demonstrate that flavors encapsulated in cyclodextrin provide superior results compared to flavors encapsulated in conventional gum arabic and flavors conventionally plated onto maltodextrin for microwaved and frozen products.

As illustrated in Tables 1, 2, 4, and 5 of the declaration, flavors encapsulated in cyclodextrin always received the highest flavor rating and always ranked first in flavor compared to flavors encapsulated in conventional gum arabic and flavors plated onto maltodextrin. In addition, flavors encapsulated in cyclodextrin, were always

preferred over flavors encapsulated in conventional gum arabic and flavors plated onto maltodextrin.

As illustrated in Table 3 of the declaration, flavors encapsulated in cyclodextrin maintained the highest flavor intensity after 4 days storage. In addition, flavors encapsulated in cyclodextrin ranked first in flavor intensity after both a one day freeze thaw cycle and a four day freeze cycle. Furthermore, the percentage of panelists who ranked beta cyclodextrin first increased between the one day freeze cycle to the four day freeze cycle, while gum arabic and maltodextrin decreased. In addition, flavors encapsulated in cyclodextrin, were preferred over flavors encapsulated in conventional gum arabic and flavors plated onto maltodextrin.

Mr. Hedges demonstrates that surprising and unexpected results are obtained with the present invention compared to the prior art. Furthermore, Mr. Hedges demonstrates that a food flavor encapsulated in cyclodextrin rates higher in flavor intensity and is preferred over food flavors encapsulated in conventional encapsulating agents. As a result, Applicants submit that it is not within the skill of the art to encapsulate microwaved and frozen food

flavors in cyclodextrin because one of skill would not expect a cyclodextrin encapsulated food product to be superior to a conventionally encapsulated food product or a conventionally plated food product.

In view of the foregoing and the enclosed, it is respectfully submitted that the application is in condition for allowance and such action is respectfully requested. Should any extensions of time or fees be necessary in order to maintain this Application in pending condition, appropriate requests are hereby made and authorization is given to debit Account # 02-2275.

Respectfully submitted,

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DCL/mr

Encl: Facsimile-executed Declaration of Mr. Hedges  
executed on December 8, 2003  
Return receipt post-card.